G R S App ᵂ IX-4]

1943-44

File No 81-43

Previous References

(Municipal)

Serial Nos 3 to 4

Later References

TL 24-43-23.

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Sept 43

SUBJECT

Distribution of the work relating to the laying of submn underground by St. sewer among the five contractors, in the Chikpet Portion at the lowest tendered rates

4) To The DPH,
" Mt comms thro' the Dlt (B Cl
" Compr
" Chief Engineer

L 2739-42 dt 30/8/43

Sanctions the proposal with observations

9/2

Letter No C81-945/41-42 dt 19-7-43 from the Dr of P Health requesting sanction to the distribution of the work relating to the laying of submain No 3 and connecting Street Sewers (Chuckpet Portion) among the four contractors at the lowest tendered rate of Rs. 85,451.

1) The reasons for distributing the work among the four contractors mentioned by the Dr of P. Health in the letter. No such distribution has been taken for such distribution as [illegible] has not [illegible]

[illegible] an extract [illegible]

for [illegible]

[illegible] an extract directed above [illegible] the opinion of the Chief Engineer may please be obtained as to the propriety of action taken by the Director of Public Health in inviting fresh tenders, in the circumstances reported

[illegible]

for [illegible]

Forwarded with Compliments to the Chief Engineer of Mysore, Public works Department for favour of opinion with reference to para 4 supra

By order
Secretary
For Secy to Govt
Law Deptt

Returned with compliments.

2 The work portion was estimated to Rs 1,01,347/- for which tenders were called for The tenders should have been submitted to Government for sanction as it exceeds - Rs 35,000/- provided under the powers of the Chief Engineer' as per Article 112 (5) of Public Works Account Code

3 The qualifying para Note 3 gives discretionary powers to the Chief Engineer to split up a main work into several sub works and call for separate tenders for each sub work within Chief Engineer's powers of sanction, provided it is " in connection with one work or estimate to be in force at a time" As this has not been done, I am of opinion that rules required that the tenders should have been submitted to Government In this connection, I may perhaps mention that the Public Works Account Code gives the power of acceptance of tenders to the Chief Engineer in Mysore Whether similar powers are vested with the Director of Public Health by the Government or whether in general the tenders should be forwarded to the Chief Engineer (when the power vested with the Sanitary Engineer, as Executive Engineer of Public Works Department) for scrutiny and sanction by the Chief Engineer,

5-(-3

is a matter for the decision of Government

The Secretary to Government, Law Department,

5/8/43

SRB Row, 3/5-8

Ans 7-6-43
5/8/43

Subject for orders

10/8

It will be seen from the above that according to standing orders the objection raised in audit against the action taken by the Director public Health is quite valid. Sanction for it should have been obtained to the tenders received before the work was actually split up & given to the local contractors to execution. The Dir. of P.H. has however explained the circumstances under which the procedure was adopted and that it has resulted in savings, that there has been no loss from the point of view of efficiency in the execution of work & that it has been done in the interest of work. In view of

these facts, the action of the Director
of P.H. may perhaps be approved with an
observation that, according to standing orders,
he should have obtained previous sanction
of Govt thereto

The other point raised by the Chief
Engr at A as to whether the Director
of Public Health could exercise the
powers of Chief Engr under Art 112
of P.W. Code will be examined
separately

Law Secy for 11/8/43

SECY TO GOVT OF BOMBAY 1/8/43

The D.P.H. very often does things
without following rules and
subscribes to Sanction
Vouchers as there is no loss
in this connection, approval may
be given with the observation
that he should have obtained
the previous sanction of the Govt

Accts 2 Sec 11-8-43

for

OFFICE OF THE INSPR FOR L S G & P H Date 16 8 43 No 1345

D.P.H. 16/8/43 I S 8 43 16 8 43

Sd/d with a draft letter for a/s/c

17/8 JM

Sd/d with a Draft Ro as personally checked

20/8 JM

4901

DATE

OFFICE OF THE ... STR
FOR L S G & P H
Dated 23 8 43
N 1501

Draft appl
Law 27/8/43

Cus 20-8-43

[Issue Ser 27/8/43]

Issue Cus 27-8-43

Issue Ser 27/8/43

4 To The Dy gp Health
The Chief Engineers
The Comptroller
The Md Comm Bty thro DGS
No 2739-42 dd 30-8-43
Approves of the proposal with certain observations

B 18/9

C F No 45]

GOVERNMENT OF MYSORE

GEN & P S 528 21 JULY 1943 S G B A C

T l g m ph

No C 81-945/Mtm2
Encls Two

81-43-3

OFFICE OF L S G B A C

I [illegible],

[illegible]

Date 17th July 1945

19

ECOY LAW DEPT To [illegible] OF MYSORE

[illegible] Secretary to Government,
[illegible] Department,
[illegible]

Sir

[illegible] the opening during the course of the Collector's test sections (Chikballapur) -

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[illegible] to Government Order No. [illegible]/3-1-3 dated [illegible] and Section 1503 sanctioning an estimate for Rs. 1,90,000 for the above work, I have the honour to state that in response to tenders notified the six tenders were received as follows -

1)	[illegible] Regional [illegible]	Rs. 81,706
2)	[illegible]	Rs. 83,104
3)	[illegible]	Rs. 89,148
4)	[illegible]	Rs. 89,556
5)	[illegible]	Rs. 93,171
6)	[illegible] Construction Co.	Rs. 92,829

In submitting the above tenders to this office with his D.O. dated 5-1-45, the Special Officer stated that the lowest tender was not [illegible] and that later supplementary tenders had been received from the lowest tenderer for Rs. 89,451/- even then being the lowest.

As per recommendation of the Special Officer, the work is distributed among the first five contractors at the lowest tender rate, i.e., Rs. [illegible] Regional [illegible] Rs. [illegible] under Art 112(5) of the Public Works Code. Two copies of this office memo accepting the tender and the letter of the Special Officer regarding distribution are enclosed to the above-mentioned Government Order.

The Comptroller has no objection to the provision of the above lowest tender rate subject to his tender not having been received by him prior to the last date of receipt of tenders as mentioned in the Government Order, the tenderer should be informed [illegible]

- -

[illegible] could [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible]

[illegible] dated 12 [illegible] to the [illegible] Delhi [illegible] Delhi Division, Delhi to [illegible] Executive Engineer, Delhi [illegible]

Invitation to the estimate for Rs 1,90,000/- sanctioned in [illegible] No F.73 (3)-E3/41 dated 7-3-39 for laying [illegible] and connected street [illegible] Venue Road and adjoining, I have the honour to state that in response to [illegible] notification, all tenders received [illegible] comparative statement is enclosed for perusal and consideration and orders thereon.

The lowest tender is that of Messrs Ram Rajkumar [illegible] amounting to Rs 81,736/- and the next lowest that of Messrs Ramdhan & Co amounting to Rs 89,134/- [illegible] Rs 7,000/- between the lowest and the next lowest tenders, it is [illegible] that Messrs Ram Rajkumar and Messrs [illegible] not prove [illegible] reputed contractors to be, nor they have supplied [illegible] list [illegible] separately in the comparative statement. The revised total comes up to Rs 85,01/-, which will, even then, be the lowest. In this connection, it is my opinion that they have no sufficient capacity [illegible] out [illegible] work in the [illegible] to the friendly population of the locality. They have done some [illegible] in the Civil Lines [illegible] near Venue to the lowest, the case cannot be ignored.

The tender of Messrs [illegible] Corporation, is the highest standing at Rs 92,329/- and the next highest being Rs 89,471/- resulting in a difference of more than Rs 5,000/- hence this tender may be rejected.

Regarding the other four tenders, the amounts tendered by each almost coincide but [illegible] small difference of a few hundreds, and these are all experienced contractors, having done [illegible] in the various parts of the city. They are also capable to take up the work at the lowest tender rate of Messrs Rajkumal [illegible] Rao hence in my opinion it is the one best [illegible] Corporation one five limits at the rates tendered by Messrs Ram Rajkumal and Messrs Ramdhan, whose tender is the lowest, including the supplementary list [illegible] with regard to items 6, 8 and 12 in the tender, the contractors will be paid rate as per actual data. The [illegible] of Rs 2/- for item No 12, pipes and specials is very uncertain. The rate of Rs 2/- for item No 12, pipes and specials is very uncertain and may be [illegible] Rao is too low and unworkable as per previous experience the other contractors are not also [illegible] table to [illegible] at the rate of Rs 2/- [illegible] The early completion of the work, which is a most important factor in a crowded city like Delhi, hence the work is to be completed in as short a time as possible to prevent nuisance to the traffic etc. Although the amount of the estimate is Rs 1,90,000/-, the amount for purposes of tender will be Rs 1,01,[illegible] 7/- omitting lump sum items, contingencies, house connections, establishment, tools and plant charges. The relative tenders are enclosed.

Memo No 3880-180 dated 9th February 1940 from the Director of Public Health in [illegible], Delhi, to the Special Officer, City Drainage Division, New Delhi -

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In letter No 1112 dated 3rd January 1940 submitting the tenders received for laying [illegible] together with a comparative statement and recommending for approval the acceptance of the tender of Messrs Ram Rajkumal and Messrs Ramdhan at Rs 85,401/- (including the cost of [illegible] to be supplied by the Department viz., Rs 4,014/-) and to distribute the work among five contractors, Messrs Ramdhan [illegible] (2) Messrs [illegible], (3) [illegible], (4) [illegible] and (5) Ram Rajkumal [illegible] at the lowest tender rate of Messrs Ram Rajkumal [illegible] Rs 80,401/-

[illegible]

[illegible]

[illegible]

abd

R. S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 30/8 19

Signed by Jr. C R Rao

Section ml

File No 87-43

Serial No 4

Proceedings of the Governm nt of His Highness the Maharaja of Mysore

Read— Go no L 7343-46/ml 143-38-4 dy 27-3 1939 sanctioning an estimate for Rs 1,90,500 for the work relating to the laying of submain no 3 and connecting street sewers (Chickpet portion), ~~Order thereon.—No~~ Bangalore cgf—

2) Letter no C 81-945/41-42 dy 19-7-43 from the Dy C P Health stating that the work referred to in the Go read above has been distributed among the marginally noted

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

x Messrs
1) R A Rajagopal & M Shama Rao
2) Ranade Bros
3) Arunagiri Nagarathnam & Co,
4) M C Coomaraswamy Pillay & Co,
5) Garon Dunkerley & Co.

12

five Contractors at the lowest
aggregating
tendered rate ~~of~~ Rs 85,451
& that the distribution of the work in question
~~to remain as above~~
without the previous sanction
of Govt in view of the largeness
of the amount has been
objected to in audit and
requesting ~~further~~ approval of Govt
to the action taken by him
in this behalf as the arrangement has resulted in
savings and there is no loss to Govt from the point of view of
affecting on the execution
of the works

Order No L 2739-42

The distribution of the work among
the five contracts as above is approved
Govt observe that
& the tenders ~~above~~ have been
submitted to Govt for sanction, as *List of Enclosures*
the Cost of the work has exceeded the sum
of Rs 35,000/- as laid down in Art 112 (5) of the
Public works Account Code before effecting
the distribution

Copied by

Examined by

Aug 30

Sec to Govt

for Ld Dept

To The Dir of Health
The Chief Engineer
The Comptroller
The Accountant General

WD 03696—GPB—30 000—9 2 40

Extract of article 112(5) Note 3 of the P W Accounts Code, 1940 Edition

Page 25

(5) Tenders for works -

Can accept tenders for the execution of works by contract for works costing up to Rs 35,000/- excluding items such as acquisition of lands, contingencies, unforeseen charges, provided in the estimate

Can convey approval to deviation from tender system in urgent cases after thoroughly satisfying himself of the circumstances of the case for works costing up to Rs 35,000/-

Note 3 - It is not the intention of Govt to prevent officers from giving out to different contractors, a number of contracts relating to one work which is estimated to cost more than the sums named as the limit of their powers, provided that no individual contractor receives a contract amounting to more than this sum in connection with one work or estimate to be in force at a time. It will be discretionary with the Chief Engineer to require the submission of Report reports of Contracts entered into by the Superintending and Executive Engineers